Purpose of Report

1. To seek approval to procure Network Rail to undertake GRIP 4-8 for Gipsy Patch Lane Bridge replacement, including highways and other related design and implementation works associated with the bridge replacement.

2. To report on the outcomes of the public consultation and to seek approval for amendments to the scheme design of the Cribbs Patchway Metrobus Extension (the Scheme) in response to the consultation.

3. To seek approval for the use of Compulsory Purchase powers (CPO), where necessary, for the acquisition of land required for the Scheme.

4. To inform of other approvals required to deliver the Scheme.

Policy

5. The Scheme is identified in the South Gloucestershire Core Strategy (Policy CS7 Strategic Transport Infrastructure) (adopted 2010), the Cribbs Patchway New Neighbourhood Supplementary Planning Document (adopted 2014) and the emerging South Gloucestershire Policies, Sites and Places Development Plan Document (proposed submission version, March 2015).

6. The 2011 West of England (WoE) third Joint Local Transport Plan (JLTP3) seeks to deliver an affordable, low carbon, accessible, integrated, efficient and reliable transport network to achieve a more competitive economy and better connected, more active and healthy communities and states a vision for the development and expansion of the Rapid Transit Network.

Background

7. South Gloucestershire Council, together with the other councils in the West of England area, is promoting a number of transport infrastructure schemes for different modes of travel that will reduce congestion and improve accessibility for existing and future communities in the area. One of the modes is MetroBus, a network of express bus services that will provide fast and reliable journey times; three schemes are being constructed, namely, Ashton Vale to Temple Meads, North Fringe to Hengrove Package (NFHP) and the South Bristol Link, which will open during 2017/18.

8. The NFHP route runs between Hengrove (in South Bristol), the city centre, UWE, Harry Stoke, Bradley Stoke and The Mall, with a spur to Parkway Station. The CPME would extend the NFHP MetroBus services by linking two termini of the NFHP at Bristol.
Parkway and The Mall Bus Station via the re-development site at Filton Airfield and Gipsy Patch Lane. Services on the CPME route would integrate with the NFHP MetroBus services, providing enhanced connectivity with the wider MetroBus network.

9 The Scheme is one element in a package of transport improvements to address the existing and future transport needs of residents living in, and workers travelling to, the North Fringe. MetroBus stops and vehicles would be of the same quality as for the NFHP.

10 A key improvement that the Scheme would deliver is the replacement of the railway over-bridge at Gipsy Patch Lane. At its meeting on 7th October 2015, the PTSE Major Schemes sub-committee approved a wide option (option 5), subject to funding, in order to deliver a general traffic lane, a shared use path and a bus lane in both directions.

11 At its meeting on 7th October 2015, the PTSE sub-committee also approved the procurement of Network Rail to design the scheme and the commencement of land assembly by negotiation with landowners.

12 Planning permission is required for the replacement bridge and the two proposed bus links.

13 The Capital Programme 2016/17 to 2018/19 approved by Council in February 2016 continues to include capital approval for the development of the Scheme funded from the Economic Development Fund.

14 The Full Business Case, due to be submitted by the council in spring 2018, needs requisite powers and consents to have been secured, Network Rail GRIP4 to have been completed, plus the preparation stage of Network Rail GRIP5 (which includes the outcome of the tender(s) for the Design & Build contracts). Construction and operation follows Investment Board approval of the Full Business Case.

15 On 4 May 2016, a report to the PTSE committee sought approval to undertake GRIP 4-8 for Gipsy Patch Lane Bridge replacement, approval for the use of Compulsory Purchase powers where necessary for the acquisition of land required for the Scheme, reported the outcomes of the public consultation and sought approval for amendments to the Scheme design in response to the consultation. The recommendation to PTSE committee to approve the progression of the Scheme along Hatchet Road was discussed at length and the decision was deferred to allow further consideration of the implications of the Hatchet Road proposals and alternatives. As a consequence, all other recommendations in the report including amendments to scheme design, procurement of Network Rail and the approval for the use of Compulsory Purchase powers, were deferred. This report brings back these issues for further consideration and provides further information regarding the Hatchet Road proposals and the alternatives.

The Issues

Procurement of Network Rail

16 Approval to procure Network Rail for GRIP 4-5 (design) was given by PTSE Major Scheme sub-committee in October 2015. Network Rail subsequently advised that the council could secure better value for money through procurement of a contractor for GRIP 4-8 (design and build).
17  This approach is considered appropriate, but officers will secure a break-clause in the Implementation Agreement (between the council and Network Rail) whereby progress would be dependent on the approval of the Full Business Case and confirmation of funding for the scheme in 2018. This would safeguard the council’s interests if the bridge replacement works were not proceedable with (for example, due to sufficient funds not being secured, the lack of a suitable possession, 3rd party land or statutory consents).

18  The scope of the design and build contract will include not only the structure, but also the highways and other works associated with the replacement of the bridge; this equates to works on Gipsy Patch Lane between the entrance to Pegasus House and the junction with Station Road.

Planning applications / Prior Approval

19  Network Rail confirm that it shall be submitting a planning application for the replacement bridge, rather than proceeding via Prior Notification (or prior approval) as previously advised by them. Network Rail has also advised that this approach is necessary due to the replacement bridge being significantly larger than the current structure and because the rationale is primarily for highway purposes rather than for the benefit of the railway.

20  Network Rail will follow due process in seeking planning consent for the bridge element of the scheme.

Confirmation of the route deferred

21  To recap from the May 2016 report, the main issues arising from the consultation in relation to Hatchet Road and the technical work regarding a suggested alternative route via Hunts Ground Road, Great Stoke Way and Winterbourne Road (the Suggested Alternative Route) were reported in May 2016 and discussed at length during the PTSE committee meeting. The decision to approve the officer recommendation to progress the Scheme along Hatchet Road was deferred pending further consideration of the implications of the Suggested Alternative Route and options detailed in the technical note (Appendix A). The Technical Note at Appendix A assesses four options (options 5 to 8) for the Suggested Alternative Route, as well as the Hatchet Road consultation scheme (option 1) and options 2 to 4.

22  For convenience, the outcomes of that technical note are repeated from the May report below.

- The Suggested Alternative Route via Winterbourne Road is approximately 1.7km longer than the route via Hatchet Road.
- MetroBus journey times along the Suggested Alternative Route with no bus priority would be up to approximately 9 ½ mins slower than the Hatchet Road consultation scheme due to the longer distance.
- MetroBus journey times along the Suggested Alternative Route would be slower than Hatchet Road. Even with 100% priority along the Suggested Alternative Route, MetroBus journey times would be up to approximately 4 ½ mins slower than the Hatchet Road consultation scheme due to the longer distance.
- Full bus priority along the Suggested Alternative Route could cost in the region of an additional £5.2m (option 7) to £11.7m (option 8) over and above the Hatchet
Road consultation scheme (option 1), depending on the extent of road widening; there is no additional funding identified for this.

23 Since the May 2016 PTSE Committee, officers have undertaken further work to clarify the implications of the options for the Suggested Alternative Route set out in the Technical Report at Appendix A, in order to help inform the committee’s decision. This has included investigating funding sources, further technical work into impact on adjacent third party land and programme implications of pursuing the Suggested Alternative Route. The outcomes of this work are described in the subsequent paragraphs.

24 All options (5-8) for the Suggested Alternative Route set out in the Technical Report at Appendix A would require additional funding on top of the Hatchet Road consultation scheme (option 1 in the technical note at Appendix A):

- Option 5 would cost approximately £1.14m more
- Option 6 would cost approximately £1.44m more
- Option 7 would cost approximately £5.24m more
- Option 8 would cost approximately £11.72m more

Any changes to the EDF ask would need to take funding from another scheme and would need approval through the LEP and this would be a change to the Policy & Resources agreed programme.

25 If funding were to be secured, any option on the Suggested Alternative Route would result in significant delays to the programme for the whole scheme as it would be necessary to undertake surveys and work up preliminary designs prior to undertaking another public consultation on the revised proposals. The likely resultant programme would be a summer 2017 consultation and reporting results for decision during winter 2017. Therefore, any of the options on the Suggested Alternative Route would set the programme back by up to 18 months.

26 This would have a direct knock-on impact on the construction programme for the whole Scheme, including the Gipsy Patch Lane bridge replacement. The bridge replacement requires a 100 hour rail possession. This length rail possession is only available twice a year; during Easter or Christmas. The current programme targets a 100 hour rail possession during Easter 2019 for the bridge replacement works. If the Suggested Alternative Route is chosen, the additional work required would delay the programme and the next rail possessions of sufficient length would be Christmas 2019 or Easter 2020. This generates a further risk to the project as third party land is required for a pre-casting yard / compound on the former East Works site and a delay in the bridge works would mean a need for use of the compound site for a longer period of time, which would increase the cost of that land (in the event of a lease arrangement) to the Scheme.

27 It is worth noting the likely impact of the Suggested Alternative Route, options 7 and 8 (as set out in the Technical Note at Appendix A) on adjacent properties on Winterbourne Road and Hunts Ground Road. Estimates indicate that option 7 would take the road
closer to approx. 60 private properties fronting / backing onto Winterbourne Road and approx. 20 properties on Hunts Ground Road by varying extents. Option 8 would take the road closer to approx. 140 private properties fronting / backing onto Winterbourne Road and approx. 20 properties on Hunts Ground Road. By comparison, the Hatchet Road consultation scheme (option 1 in Appendix A) takes the road closer to approx. 35 private property boundaries.

28 Consideration has also been given to the impact the Suggested Alternative Route would have on Parkway Station. The NFH MetroBus will use the rear (eastern) station access. The NFH project is working to improve visibility and bus tracking around the multi-storey car park; this will improve visibility of oncoming vehicles but is likely to require one bus to remain stationary as the another passes if two busses meet at these corners. For the NFH scheme design, this movement is acceptable as the likelihood of two busses needing to pass at these corners is minimal. However, if the Scheme was to use the rear station access, this likelihood would increase, leading to MetroBuses needing to give-way to each other more frequently.

29 A large proportion of responses (75 out of the 95 who commented on Hatchet Road) objected to the proposals for Hatchet Road. In response to this, the project team also re-examined the proposals for Hatchet Road. In summary, the proposed southbound bus lane contributes to ensuring MetroBus meets its objectives of being both rapid and reliable. It improves MetroBus journey times by around half a minute in the am peak, compared to doing nothing. In addition to this journey time saving, the inclusion of the southbound bus lane would provide an important role in significantly enhancing the reliability of journey times, particularly during times of variable general traffic conditions.

Possible Scheme amendments

30 Full details of responses to the consultation together with officer responses, are set out in Appendix C(i). A number of potential improvements to the Scheme have been identified through the consultation and are set out in the table below.

<table>
<thead>
<tr>
<th>Route Section</th>
<th>Possible Scheme Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Way bus link</td>
<td>The design of the bus link alignment will take into account the East Works masterplan. Consideration will be given to the appropriateness of incorporating an HGV turning facility into the design of the bus link. Any measures to mitigate the reported congestion issues on North Way and the concerns that the bus link may exacerbate this will be identified. Work with the Assess &amp; Decide Team to identify what could be done to mitigate the current issues which are outside of the scope of this project. This may include improved signage on North Way itself, to reduce unnecessary u-turning of HGVs and improved enforcement of existing parking restrictions.</td>
</tr>
<tr>
<td>Gipsy Patch Lane</td>
<td>The viability of combining the pedestrian crossing with signal control of Gifford Crescent to facilitate vehicles exiting onto Gipsy Patch Lane will be investigated. The potential for a central reservation build-out westbound from the roundabout with Hatchet Road to prevent drivers</td>
</tr>
</tbody>
</table>
using the exiting hatched area as an extra lane will be investigated.

31 These potential amendments to the Scheme design will be explored during the next design stage. Amendments to the Scheme drawings will be made available on the CPME webpage.

Land Acquisition

32 The expectation is that all land required for the Scheme will be acquired by negotiation, with compulsory purchase being used only should negotiation not be successful within the required time limits.

33 In October 2015 the PTSE Major Scheme sub-committee approved the commencement of land assembly by negotiation for the elements of the Scheme which require planning approval; the San Andreas Bus Link, North Way Bus Link and Gipsy Patch Lane Bridge replacement. These negotiations have commenced, however to minimise risk to the programme we are seeking approval to commence compulsory purchase procedures for land required for these elements. Plans showing the extent of land required is shown in Appendix B(i).

34 Since the PTSE Committee on 4 May 2016, further work has been undertaken to understand the land requirements necessary to deliver the Hatchet Road section of the Scheme. Subject to approval of Option A as set out at paragraph 37 below, committee approval is now sought to commence negotiations and compulsory purchase procedures for land required along the Hatchet Road section. Approval for this is required now to ensure that the programme is not delayed further. Plans showing the extent of land required is shown in Appendix B(ii). Some of the land shown is Council owned but it has been included in the plans for completeness in the locations where it is not adopted highway.

35 To comply with the necessary statutory procedures, the plans in Appendix Bi and Bii show all land required under CPO; they do not distinguish between permanent and temporary land requirements. However, for illustrative purposes, additional plans have been included in Appendix B(iii) to differentiate between land required permanently and temporarily (for construction and access).

36 Officers must use their best endeavours to obtain land by negotiation with landowners, but to minimise the risk that Scheme progress will be delayed through these negotiations, it is essential to commence CPO procedures in parallel with those negotiations, due to the lengthy statutory process involved with CPO.

Options

37 The resulting options, to address concerns raised regarding the Hatchet Road proposals, can be summarised as follows:

A. Progress the Scheme with Hatchet Road as originally consulted on, with minor amendments to reduce impact where possible (option 1 in the Technical Note at Appendix A).
B. Progress the Scheme with Hatchet Road, as originally consulted on, with reduced or no bus priority (options 2 - 4 in the Technical Note at Appendix A).

C. Progress the Scheme with the Suggested Alternative Route (options 5 – 8 in the Technical Note at Appendix A).

Officers consider Option A above to be the best performing option in terms of delivering the fastest and most reliable route for MetroBus within the required timescales and available budget. Option A is therefore recommended by officers.

**Consultation**

38 From November 2014 to February 2015 a ‘soft launch’ of the Scheme was undertaken. Full public consultation on the preliminary designs was undertaken between 27 November 2015 and 15 January 2016. The consultation was widely publicised.

39 Bus operators were written to as part of both the soft launch and Winter 2015/16 consultation; no responses were received.

40 Details of the consultation were reported to PTSE Committee in May 2016. A report on the results from the consultation, the full list of issues raised including officer responses can be found in Appendix C(i).

41 Following the close of the consultation, further correspondence has been received. The main issues raised in this correspondence which were not raised during the formal consultation are summarised in Appendix C(ii).

**Financial Implications (includes tax implications such as VAT)**

42 The Capital Programme 2016/17 to 2018/19 approved by Council in February 2016 includes a total of £33.859m of which £3.763m falls in 2016/17 and 2017/18 and is available for pump priming support to progress the development of the detailed business case for the Cribbs Patchway MetroBus Extension Scheme, which is due to be submitted by the council to the Local Enterprise Partnership for full approval in Spring 2018. The cost of the consultants to support the development of the Cribbs Patchway MetroBus Extension Scheme will be met from this existing approval. Policy and Resources Committee will need to be asked to consider making an earlier additional Capital Programme allocation available, subject to affordability within the Cribbs Patchway MetroBus Extension Scheme budget, to support the land acquisition requirements of the Scheme as set out in this report. Once the appropriate re-phasing of the land acquisition cost element is confirmed, it will be necessary to seek the Policy and Resources Committee’s specific approval of the consequential changes to the current Capital Programme.

43 The West of England (WoE) City Region Deal has been agreed between Government, the WoE Councils and the WoE Local Enterprise Partnership (the LEP). The LEP has provisionally approved an initial indicative programme of schemes for funding from the Economic Development Fund. This initial programme will still be subject to economic benefit justification via the submission of a detailed business case by the council before final approval is given. Agreed funding (for capital and borrowing costs) can then be drawn from the Economic Development Fund as the project is completed on the basis agreed with the LEP. The Cribbs Patchway MetroBus Extension Scheme has an initial indicative programme entry scheme allocation of £35m. This scheme allocation would be
sufficient to meet the cost of the proposed scheme (including the Hatchet Road proposal).

44 The Economic Development Fund Agreement requires that if an Economic Development Fund funded scheme’s cost increases above £2m, as would be the case for options 5 to 8 for the Suggested Alternative Route, that approval of the West of England Strategic Leaders Board is required. The West of England Strategic Leaders Board would require, that in order to approve any increase in cost of the Cribbs Patchway MetroBus Extension Scheme, how the cost increase would be funded. There is no funding identified for the potential additional costs of options 5 to 8 (the Suggested Alternative Route) of between £5.2m to £11.7m depending on the extent of road widening.

45 It is important to recognise that whilst a Council can borrow to fund the full cost of an approved scheme, the level of revenue support they receive back to support this borrowing will always be limited by the available funds of the Economic Development Fund.

46 PTSE Major Schemes Sub-Committee selected a wider bridge option at Gipsy Patch Lane at their 7 October 2015 meeting as part of the Cribbs Patchway MetroBus Extension Scheme, subject to funding being identified. It is envisaged that the additional funding required for this option can be secured through alternative sources, such as developer contributions, given the wider strategic benefits that having this bridge option at Gipsy Patch Lane would bring with it.

47 Once constructed, the replacement bridge will be owned and maintained by Network Rail. A one off financial contribution towards its future maintenance will be funded from the CPME project. An estimate of this contribution has been included in the cost estimate and will be confirmed in subsequent stages of the project.

Andrew Birch, Finance Manager / Chris Manvell, Deputy Head of Finance
☎ 01454 86 3115 ☎ 01454 86 3115

Legal Implications

48 Procurement of Network Rail
The council’s Contracting Rule 8d provides that tenders may be negotiated directly with a single contractor provided the budget exists, consideration has been given to seeking quotations and the Director confirms that one or more of Rules 8b to i apply. For the reasons given in the body of the report, officers have identified Rule 8d on the basis the contract to replace the rail bridge with its associated works is of such a special nature that no reasonable alternative is available and no advantage would be gained by inviting competitive tenders.

49 Consultation
Where consultation is undertaken, it must be done fairly and subject to four fundamental principles which are:

1. Consultation must take place when the proposal is still at a formative stage
2. Sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response
3. Adequate time must be given for consideration and response
4. The product of consultation must be conscientiously taken into account
If the decision maker does not properly consider the material produced by the consultation it can be accused of having predetermined the matter or of having failed to take into account a relevant consideration.

The consultation exercise which ended in January and the collation and evaluation of its conclusions are considered to have met the above principles.

Statutory Consents
Three Scheme components require planning consent; a bus link between the former Rolls Royce East Works development and North Way, a short link between the CPNN development bus-only road with the existing highway at San Andreas roundabout and the replacement Gipsy Patch Lane Bridge. It is anticipated that other Scheme components are covered by Permitted Development Rights or by existing consents.

Compulsory Purchase Powers (CPO)
Statutory powers given to highway authorities to acquire land by compulsory purchase (or by agreement) are set out in Part XII of the Highways Act 1980.

A CPO should only be made where there is a compelling case in the public interest to do so and an acquiring authority must ensure that the purpose(s) for which the CPO powers are sought (in this case, the Scheme) justifies the interference with the human rights of those with an interest in the land affected by it.

The Human Rights Act 1998 incorporated into domestic law the European Convention of Human Rights (“the Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Human Rights Act prohibits public authorities from acting in a way which is incompatible with the Convention. Various Convention rights may be engaged in the process of making and considering a CPO, notably Article 1 which protects the right of everyone to the peaceful enjoyment of possessions (in this context, in the form of land and property) No-one can be deprived of possessions except where it is in the public interest to do so and subject to relevant national and international laws.

In the case of Article 1 the Council has to be conscious of the need to strike a balance between the rights of the individual and the interests of the public. Further, in relation to Article 8 (the right to respect for private and family life and home) rights may be restricted if the infringement of those rights is legitimate, fair, proportionate and in the public interest.

Having considered the human rights implications in the context of this Scheme, the conclusion is that there is a compelling case to be made, in the public interest, for the exercise of CPO powers which strikes an appropriate and proportionate balance between the private interests of those landowners that are likely to be affected (through the acquisition of their land for the Scheme) and the public interest in terms of the considerable public benefits to be derived from the successful delivery of the scheme.

It should be restated that there is an overriding requirement for the Authority to seek (exhaustively) to acquire the necessary land through negotiation with landowners before making a CPO.
Human Resources Implications

60 A core project team of ECS officers has already been created to progress this work; as discussed above, the main technical inputs would be provided by Network Rail and selective use of framework consultants. There are no further HR implications arising from this report. However, additional staff resources may be required as the Scheme progresses towards implementation. The cost of these resources would be met from the approved capital scheme budget.

Gaynor Fisher, HR Business Partner
☎ 01454 86 8193

Environmental Implications

61 The Scheme would provide a considerable improvement for pedestrians and cyclists in particular, passing under the railway at Gipsy Patch Lane. It would also facilitate extension of the North Fringe to Hengrove Package MetroBus services between The Mall and Parkway via the Cribbs Patchway New Neighbourhood.

62 The Scheme will encourage greater use of sustainable modes of transport which will help to tackle congestion, improve air quality and meet national and local goals and objectives for economic development, health, accessibility and quality of life.

63 An environmental screening assessment has been undertaken which has advised that an Environmental Impact Assessment is not required. Some environmental impacts are likely, but these are considered to be local effects, and not of significant impact. However, environmental surveys are being undertaken so that any localised environmental impacts of the Scheme are minimised and/or mitigated.

Nigel Barton, Senior Environment and Climate Change Officer
☎ 01454 86 3468

Social Implications

64 The Scheme links existing residential areas of Patchway, Little Stoke and Stoke Gifford with employment opportunities and services in Cribbs Causeway and the planned Cribbs Patchway New Neighbourhood. The Scheme will provide improved accessibility for residents to jobs and services further afield through good interchange opportunities with existing bus services, the planned NFHP route and rail services at Bristol Parkway and the proposed North Filton Station.

65 Providing a MetroBus Service will encourage greater levels of active travel, reduced congestion and improved air quality which all have positive benefits to health.

Mark Pullin, Strong, Safer Communities Manager
☎ 01454 868480

Economic Implications
The Scheme would support and encourage economic development; contributing to generating more than 400 additional jobs and £162m net GVA. The South Gloucestershire Core Strategy identifies a number of development sites in the North Fringe, trips from which would use the Scheme.

Antony Merritt, Strategic Economic Development Manager  
☎ 01454 86 3645

Equality Impact Assessment

The Council is reminded of its statutory duty, in the exercise of its functions, to have due regard to the aims of the Public Sector Equality Duty. The Scheme will be subject to an Equality Impact Assessment and Analysis. This is an important activity for each scheme as local issues and specific details will be taken account of in respect of all protected characteristic groups, ensuring that accessibility and all other issues pertaining to the elimination of discrimination and the advancement of equality of opportunity for all will be fully considered and addressed to ensure maximum positive impact for all. The protected characteristic groups most impacted in relation to the nature of this Scheme are those of ‘Disability’ and ‘Age’, however, all protected characteristic groups are considered and impacts assessed, analysed and addressed.

It is expected that CPME would benefit all groups in society by providing a significant improvement in public transport in the areas served, which would provide residents with improved access to job opportunities in the North Fringe. The Scheme would also improve access to a wider range of services along its route; for example, retail, leisure and healthcare. The MetroBus and associated infrastructure would be fully compliant with disability access requirements with fully accessible vehicles and passenger information systems that cater for disabled users. The council’s standard equalities questions were included in the winter 2015 consultation.

Mark Pullin, Strong, Safer Communities Manager  
☎ 01454 86 8480

Privacy Impact Assessment

A Privacy Impact Assessment has been completed and is available as a background paper to this report. The assessment shows that the CPME project involves the collation of personal information (i.e. names and contact details of members of the public) as a result of conducting public consultation on Scheme proposals and through the establishment of land ownership. In summary the assessment identifies that in order to overcome any potential risk of loss or misuse of this data that access to the drives and documents within which it is stored be limited to the project team.

Chris Sane, Strategic Head of Transport  
☎ 01454 863402

Risks, Mitigations & Opportunities

The procurement of Network Rail for GRIP 4-8 design & build would provide the opportunity to secure better value for money and would obviate the cost and time required for a build-only tender. Including the highways and other related elements as part of
Network Rail’s contract would reduce risks associated with two or more contractors working in close proximity and having greater clarity around roles and responsibilities.

71 If a decision is not made on Options A – C above, the short-term programme would be delayed and this could ultimately impact on the construction start.

72 If Option C, the Suggested Alternative Route, is selected, there would be a significant delay of 12-18 months to the whole Scheme programme, including the replacement of the Gipsy Patch Lane Bridge.

73 There is a risk of further public opposition to the proposed Scheme along Hatchet Road (Options A or B). It is proposed to reduce this risk through ongoing engagement with communities.

Other Implications

74 There are no other significant issues to those identified above.

Conclusions

75 Officers consider Option A to be the best performing option in terms of delivering the fastest and most reliable route for MetroBus within the required timescales and available budget. Option A is therefore recommended by officers.

76 To maintain its programme for delivery, the project needs to secure the requisite consents and approvals and to progress land acquisition.

77 Procuring Network Rail to design & build the Gipsy Patch Lane replacement railway bridge, including the highways and other related elements in the vicinity of the bridge, has the potential to offer the council both time and money savings.

78 Although there is opposition to the Scheme proposals along Hatchet Road (Options A & B above), the technical work which has been undertaken confirms that the Suggested Alternative Route (options 5-8 inclusive in Appendix A and Option C above) would perform poorly in comparison and be significantly more costly.

79 As set out above at para 25, public consultation has not been undertaken on the options for the Suggested Alternative Route and this would be required if any of those options were to be taken forward. In addition, further design work and investigations would need to be undertaken prior to any public consultation. Therefore even if funded, the Suggested Alternative Route (Option C above) would require significant preparatory work and consultation which would delay the whole programme by 12 to 18 months, including the Gipsy Patch Lane Bridge replacement. As such it can be concluded that Option A above is, on balance, the most appropriate option and can be delivered within the identified budget.

80 In progressing the Scheme through detailed design, every opportunity will be explored to reduce impacts of the Scheme in relation to the issues and concerns raised through the consultation whilst maintaining the benefits which the Scheme is seeking to introduce.

81 Further design work will be undertaken in response to other issues raised during consultation, where indicated in paragraph 30.
RECOMMENDATION

In order to support the delivery of the Cribbs Patchway MetroBus Extension (the Scheme), the Committee is recommended to:

a) Approve the use of framework and / or the procurement of other consultants to support the development of the Scheme to Full Business Case as necessary.

b) Approve the procurement of Network Rail to implement the Gipsy Patch Lane Bridge replacement element of the Scheme up to the end of GRIP 8.

c) Approve the progression of Option A (the Scheme along Hatchet Road) subject to the implementation of any practical, deliverable and affordable measures to mitigate its impact on adjacent landowners identified by the consultation responses.

d) Approve the making of a Compulsory Purchase Order under Sections 239, 240, 250 and 260 of the Highways Act 1980 for the acquisition of the land and new rights for San Andreas Bus Link, North Way Bus Link and Gipsy Patch Lane Bridge (shown in Appendix B(i) to this report) subject to the Full Business Case, and in so far as the whole or any part or parts of the land required is not acquired by negotiation in accordance with recommendation (f) in the October 2016 sub-committee report.

e) Approve the acquisition of land for Option A (shown in Appendix B(ii) to this report) by negotiation.

f) Approve the making of a Compulsory Purchase Order under Sections 239, 240, 250 and 260 of the Highways Act 1980 for the acquisition of the land and new rights for Option A (within the areas shown in Appendix B(ii) to this report), subject to the Full Business Case, and in so far as the whole or any part or parts of the land required is not acquired by negotiation in accordance with e above.

g) Recommend to Policy and Resources Committee to make a capital allocation, subject to affordability within the Scheme budget, in order to secure the land acquisition in d, e & f above.

h) Authorise the Director of Environment and Community Services to:

(i) progress all requisite work streams to develop the Full Business Case for the Scheme.

(ii) make all necessary applications including those under the Town and Country Planning Act (T&CPA) 1990 and obtain the relevant permissions, consents and orders to enable the construction and operation of the Scheme.

(iii) exercise permitted development rights.

(iv) approve any variation in the extent of land or rights to be acquired under CPO powers (or by negotiation) where these variations are deemed necessary for
the proper delivery of the Scheme, such variations to be notified in future reports as necessary.

(v) approve the amendments to the Scheme designs as listed in paragraph 30 as appropriate.

i) Authorise the Head of Legal, Governance & Democratic Services to;

(i) Conclude agreements (including easements and licences) with landowners as required for the Scheme

(ii) take all appropriate legislative steps in implementing Compulsory Purchase Order procedures to secure the making, publication, confirmation and sealing of any statutory order associated with and necessary for the delivery of the Scheme in accordance with the relevant statutory requirements and the presentation of the Council’s case at any Public Inquiry for the Scheme

(iii) make the appropriate statutory traffic orders relating to the Scheme subject to any objections received at the formal consultation or public advertisement stages

(iv) acquire interests in land and new rights as set out in appendix B(i) and B(ii), within the Compulsory Purchase Order either by agreement or compulsorily

(v) approve agreements with landowners setting out the terms for the withdrawal of objections to the Order

Author
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Appendices
Appendix A CPME Hatchet Road Optioneering Technical Note
Appendix B(i) Land requirement plans – San Andreas Bus Link, North Way Bus Link and Gipsy Patch Lane Bridge
Appendix B(ii) Land requirement plans – Hatchet Road section
Appendix B(iii) Land requirement plans – showing permanent and temporary land requirement
Appendix C(i) Consultation Report and responses to issues raised at consultation
Appendix C(ii) Issues raised in correspondence from members of the public following close of public consultation
Background Papers

Privacy Impact Assessment
Equality Impact Assessment
Gipsy Patch Lane Bridge GRIP 1 – 2 Report
Gipsy Patch Lane Bridge GRIP 3 Option Selection Report
Link - http://travelwest.info/projects/cribbs-patchway-metrobus-extension
Joint Local Transport Plan 3
South Gloucestershire Core Strategy
Cribbs Patchway New Neighbourhood Supplementary Planning Document
PTSE Committee Report – CPME, May 2016